IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5261 OF 2004

Shri Krishna Pandurang Patil & Ors. ...Applicants

Versus

The State of Maharashtra ...Respondent

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Mr.S.R.Chitnis, Sr.Counsel with Mrs.V.R.Raje for Applicants.

Mr.R.Y.Mirza, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 1, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. On the basis of the injury certificate produced at Exhibit B, it is contended that involvement of the present Applicants and in fact of 11 accused in the commission of offence is inconceivable. Instead of going into the

contentious issues raised before this Court, the appropriate course, to my mind, is to grant limited protection to the present Applicants to enable them to approach the appropriate Court by way of regular Bail Application. Till such time, the Applicants shall not be arrested.

3. The Applicants shall file the regular Bail Application on or before 6th December 2004. The protection granted under this order will enure only till 6th December 2004, on which date, the Applicants will appear before the appropriate Court and present the regular Bail Application and on the same day, the Trial Court may proceed to dispose of that Application.

4. Counsel for the Respondents assures that no adjournment will be sought if the application is presented on 6th December 2004. In case, it is not possible for the appropriate Court to finally dispose of the Application on the same day, then it will be open to the Court to grant ad-interim order to the Applicants, if so advised.

5. The Applicants shall give advance notice to the Investigating Officer before presenting the Application for regular Bail. Ordered accordingly.

6. Applicant shall, in the meantime, extend necessary co-operation in the investigation as and when called upon.

A.M.KHANWILKAR, J.